

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:05CR128-P-B

TONY CONROD,

DEFENDANT.

CONTINUANCE

This matter comes before the court upon Defendant Tony Conrod's Motion to Continue Trial [21-1]. Upon due consideration of the motion – the Government having no objection – the court finds as follows, to-wit:

Trial is currently set for May 1, 2006. Defense counsel avers that he needs additional time in which to receive, review, and evaluate discovery from the Government. The Government has no objection to the continuance. Furthermore, in the motion, the defendant expressly waives his right to a speedy trial.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from May 1, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant Tony Conrod's Motion to Continue Trial [21-1] is hereby **GRANTED**;
- (2) Trial of this matter is continued until Monday, June 5, 2006 at 9:00 a.m. in the United

States Courthouse in Greenville, Mississippi;

(3) The delay from May 1, 2006 to June 5, 2006 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is May 15, 2006; and

(5) The deadline for submitting a plea agreement is May 22, 2006.

SO ORDERED, this the 6th day of April, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE